

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO INTRALATA TOLL)	
COMPETITION, AN APPROPRIATE)	ADMINISTRATIVE
COMPENSATION SCHEME FOR COMPLETION)	CASE NO. 323
OF INTRALATA CALLS BY INTEREXCHANGE)	PHASE I
CARRIERS, AND WATS JURISDICTIONALITY)		

O R D E R

This matter arising upon petition of South Central Bell Telephone Company ("South Central Bell") filed August 8, 1989 pursuant to 807 KAR 5:001, Section 7, for confidential protection of South Central Bell's response to the Attorney General's Request No. 2, and it appearing to this Commission as follows:

The Attorney General's Data Request No. 2 requests any studies that South Central Bell has concerning the effect of intraLATA competition upon local exchange carriers in other local jurisdictions. South Central Bell has petitioned the Commission to protect this information from public disclosure because it contains revenues of South Central Bell, as well as that of other carriers, which South Central Bell contends can be used by its competitors to South Central Bell's disadvantage. The petition does not state how this information could be used by South Central Bell's competitors.

807 KAR 5:001, Section 7, protects information as confidential only when it is established that disclosure will result in competitive injury to the person possessing the

information in that it will provide the possessor's competitors with an unfair business advantage. The burden of establishing whether the information is entitled to protection from disclosure is upon the petitioner. Although South Central Bell maintains generally that disclosure of the information sought to be protected will result in competitive injury, it does not state how disclosure will result in injury to South Central Bell. Therefore, the petition should not be granted.

This Commission being otherwise sufficiently advised,

IT IS ORDERED:

1. The petition by South Central Bell for confidential protection of the information furnished in response to the Attorney General's Data Request No. 2 shall be held in abeyance to allow South Central Bell to supplement its petition with a statement setting forth, with specificity, its reasons for believing that disclosure of the information sought to be protected will cause the company substantial competitive injury.

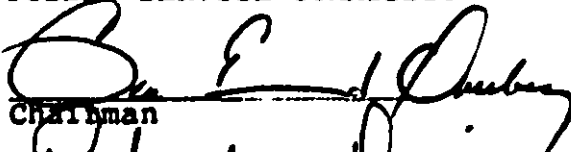
2. If such statement is not filed within 10 days, the Petition for Confidentiality shall, without further Orders herein, be denied.

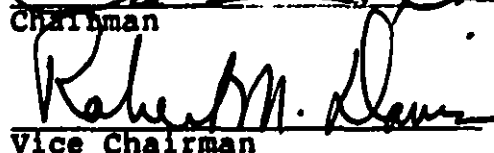
Done at Frankfort, Kentucky, this 21st day of August, 1989.

ATTEST:

Executive Director

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner